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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,769	06/13/2000	Cary Lee Bates	ROC920000098	5582

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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2143

2

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/592,769

Applicant(s)

BATES ET AL.

Examiner

Tammy T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.



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Detailed Office Action

1. This action is in response to the application **09/592,769** filed. **June 13, 2000.**
2. Claims **1-29** have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-9 and 19-29 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Dean A. Klein., (USPN 6,496,853 – Date of Patent: December 17, 2002, herein referred to as “Klein”).

5. As to claim 1, Klein teaches the invention as claimed, including a method for

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processing redundant electronic mail messages comprising:

receiving an electronic mail message (Abstract, col.3, lines 10-22, and col.4, lines 7-24); and deleting the received electronic mail message if the received electronic mail message is substantially similar to an available electronic mail message (Abstract, col.3, lines 39-62, col.4, lines 36-57, and col.6, lines 53-65, and col.9, lines 51-67).

6. As to claim 2, Klein teaches the invention as claimed, wherein the deleting comprises determining whether the received mail message was substantially unaltered by a sender of the received electronic mail message (Abstract, col.3, lines 10-22, and col.4, lines 36-57).

7. As to claim 3, Klein teaches the invention as claimed, wherein the deleting comprise: flagging the received electronic mail message if the received electronic mail message was substantially unaltered by a sender of the received electronic mail message (Abstract, col.2, lines 20-44); and deleting the flagged electronic mail message (col.2, lines 20-44).

8. As to claim 4, Klein teaches the invention as claimed, wherein the available electronic mail message comprises undeleted electronic mail message stored in a memory device of the recipient terminal (col.3, lines 23-37).

9. As to claim 5, Klein teaches the invention as claimed, wherein the undeleted electronic mail message comprises previously opened electronic mail messages and unopened electronic mail messages (col.3, lines 12-23, and col.10, lines 15-27).

10. As to claim 6, Klein teaches the invention as claimed, wherein the deleting is automatically performed if the received electronic mail message is substantially similar to the available electronic mail message (col.3, lines 24-62, col.6, lines 53-65, and col.10, lines 16-26).

11. As to claim 7, Klein teach the invention as claimed, wherein the deleting is perform

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upon confirmation by a recipient of the received electronic mail message if the received electronic mail message is substantially similar to the available electronic mail message (col.9, lines 50-67).

12. As to claim 8, Klein teaches the invention as claimed, wherein the available electronic mail message is substantially similar to the received electronic mail message if the available electronic mail message and the received electronic mail message have a substantially similar identifier field (Fig.4, col.9, lines 29-50).

13. As to claim 9, Klein teaches the invention as claimed, wherein the identifier field comprises at least one from the group of user information, subject information and timestamp information (col.4, lines 26-57, and col.11, lines 26-42).

14. As to claim 19, Klein teaches the invention as claimed, including as apparatus for processing redundant electronic mail messages comprising:

a memory for storing an electronic mail program (col.3, lines 24-37); and

a processing unit (col.3, lines 24-37, and col.10, lines 16-26), coupled to the memory, for executing the electronic mail program retrieved from the memory (col.9, lines 40-65, and col.10, lines 38-49), receiving an electronic mail message, and deleting the received electronic mail message if the received electronic mail message is substantially similar to an available electronic mail message (Abstract, col.4, lines 36-57).

15. As to claim 20, Klein teaches the invention as claimed, further comprising a display unit, coupled to the processing unit, for displaying the available electronic mail message (col.4, lines 7-35, col.6, lines 31-53, and col.11, line 65 to col.12, line 25).

16. As to claim 21, Klein teaches the invention as claimed, including a computer readable

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medium storing a software program that, when executed by computer, causes the computer to perform a method comprising:

receiving an electronic mail message (Abstract, col.3, lines 10-22, and col.4, lines 7-24);

and

deleting the received electronic mail message if the received electronic mail message is substantially similar to an available electronic mail message (Abstract, col.3, lines 39-62, col.4, lines 36-57, and col.6, lines 53-65, and col.9, lines 51-67).

17. As to claim 22, Klein teaches the invention as claimed, wherein the deleting comprises determining whether the received mail message was substantially unaltered by a sender of the received electronic mail message (Abstract, col.3, lines 10-22, and col.4, lines 36-57).

18. As to claim 23, Klein teaches the invention as claimed, wherein the deleting comprise:

flagging the received electronic mail message if the received electronic mail message was substantially unaltered by a sender of the received electronic mail message (Abstract, col.2, lines 20-44); and

deleting the flagged electronic mail message (col.2, lines 20-44).

19. As to claim 24, Klein teaches the invention as claimed, wherein the available electronic mail message comprises undeleted electronic mail message stored in a memory device of the recipient terminal (col.3, lines 23-37).

20. As to claim 25, Klein teaches the invention as claimed, wherein the undeleted

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electronic mail message comprises previously opened electronic mail messages and unopened electronic mail messages (col.3, lines 12-23, and col.10, lines 15-27).

21. As to claim 26, Klein teaches the invention as claimed, wherein the deleting is automatically performed if the received electronic mail message is substantially similar to the available electronic mail message (col.3, lines 24-62, col.6, lines 53-65, and col.10, lines 16-26).

22. As to claim 27, Klein teach the invention as claimed, wherein the deleting is perform upon confirmation by a recipient of the received electronic mail message if the received electronic mail message is substantially similar to the available electronic mail message (col.9, lines 50-67).

23. As to claim 28, Klein teaches the invention as claimed, wherein the available electronic mail message is substantially similar to the received electronic mail message if the available electronic mail message and the received electronic mail message have a substantially similar identifier field (Fig.4, col.9, lines 29-50).

24. As to claim 29, Klein teaches the invention as claimed, wherein the identifier field comprises at least one from the group of user information, subject information and timestamp information (col.4, lines 26-57, and col.11, lines 26-42).

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean A. Klein., (hereinafter Klein) U.S. Patent No. 6,496,853 in view of Jordan Pollack., (hereinafter Pollack) U.S. Patent No. 6,505,236.

27. As to claim 10, Klein teaches the invention as claimed, including a method for processing redundant electronic mail messages comprising:

forwarding an electronic mail message addressed to at least one recipient terminal (Abstract, col.4, lines 7-57);

determining whether the forwarded electronic mail message is substantially similar to an available electronic mail message (Abstract, col.4, lines 35-57).

Klein does not teach the deleting the forwarded electronic mail message if the forwarded electronic mail message is substantially similar to the available electronic mail message. However, Pollack teaches the deleting the forwarded electronic mail message if the forwarded electronic mail message is substantially similar to the available electronic mail message (Abstract, and col.2, lines 1-25, and col.7, lines 10-34). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Klein and Pollack to have a deleting the forwarded electronic mail in a communication system because it would have an efficient system that can provide specific functions to erase data from a file or remove a file from a storage medium.

28. As to claim 11, Klein teaches the invention as claimed, further comprising:
configuring control information for the electronic mail message to be forwarded; sending the control information with the forwarded electronic mail message; and processing the control

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information, where the determining is performed upon processing the control information (col.4, lines 57-67).

29. As to claim 12, Klein teaches the invention as claimed, wherein the control information comprises a flag (Abstract, and col.9, lines 29-39)

30. As to claim 13, Klein teaches the invention as claimed, wherein the control information is embedded in a header of the forward electronic mail message (col.5, lines 16-50, and col.4, lines 7-57).

31. As to claim 14, Klein does not teach the invention as claimed, wherein the available electronic mail message is substantially similar to the forwarded electronic mail message if the available electronic mail message and the forwarded electronic mail message have a substantially similar identifier field. However, Pollack teaches the available electronic mail message is substantially similar to the forwarded electronic mail message if the available electronic mail message and the forwarded electronic mail message have a substantially similar identifier field. (Abstract, and col.2, lines 1-25, col.5, lines 16-35, and col.7, lines 10-34). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Klein and Pollack to have a deleting the forwarded electronic mail in a communication system because it would have an efficient system that can provide specific functions to erase data from a file or remove a file from a storage medium.

32. As to claim 15, Klein teaches the invention as claimed, wherein the identifier field comprises at least one from the group of user information, subject information and timestamp information (col.11, lines 26-42, and col.5, lines 16-35).

33. As to claim 16, Klein teaches the invention as claimed, wherein the electronic mail

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message is forwarded to a distribution list addressed to at least one recipient terminal (col.5, lines 35-65, and col.4, lines 7-57).

34. As to claim 17, Klein teaches the invention as claimed, including comprises:
configuring an attribute for the distribution list; and processing the attribute to determine whether to delete the forwarded electronic mail message (Abstract, col.4, lines 7-57, and col.5, lines 35-50).

35. As to claim 18, Klein teaches the invention as claimed, wherein the attribute flags the forwarded electronic mail message as at least one type of electronic mail message from the group of an urgent message, a FYI (for your information) message, a message requesting automatic acknowledgement, and a forward message that is non-redundant to the addressed recipient terminal (col.5, lines 50-65, and col.8, lines 42-60).

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al	U.S Patent No. 5,813,009	September 22, 1998
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Gibbs et al	U.S Patent No. 5,832,218	November 3, 1998
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27. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 4:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final issues,

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please send it to (703) 746-7238. If you need to send an Official facsimile transmission, please send it to (703) 746-7239. If you would like to send a Non-Official (draft) facsimile transmission the fax is (703) 746-7240. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **David Wiley**, may be reached at (703) 308-5221.

Any response to this office action should be mailed too:

Director of Patents and Trademarks Washington, D.C. 20231.

Moreover, hand-delivered responses should be delivered to the Receptionist, located on the fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia.

Tammy T Nguyen



**DAVID WILEY
SUPERVISORY PATENT EXAMINER
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